

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**MARGUERITE CARRUBBA**

**PLAINTIFF**

**V.**

**CIVIL ACTION NO. 1:07CV01237LG-JMR**

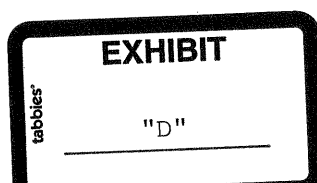
**HARRISON COUNTY, MISSISSIPPI,  
BY AND THROUGH ITS BOARD OF SUPERVISORS;  
SHERIFF GEORGE PAYNE, JR., IN HIS OFFICIAL AND  
INDIVIDUAL CAPACITY; MAJOR WAYNE PAYNE, MAJOR  
DIANNE GASTON RILEY, STEVE CAMPBELL, RICK GASTON,  
RYAN TEEL, KARLE STOLZE, WILLIAM PRIEST,  
AMERICAN CORRECTIONAL ASSOCIATION, JOHN DOES 1-4,  
OFFICIALLY AND IN THEIR INDIVIDUAL CAPACITY,  
JAMES A. GONDLES, JR., HEALTH ASSURANCE LLC.,  
J.L. WHITE**

**DEFENDANTS**

**PRE-DISCOVERY DISCLOSURE OF CORE INFORMATION  
BY DEFENDANTS HARRISON COUNTY SHERIFF'S OFFICE  
AND SHERIFF GEORGE PAYNE, JR.**

COME NOW, Defendants, Sheriff George Payne, Jr., Wayne Payne, Dianne Gatson-Riley, Steve Campbell, officially and in their individual capacities, by and through their attorneys of record, Dukes, Dukes, Keating & Faneca, P.A., pursuant to Rule 26.1 of the Uniform Local Rules of the United States District Court for the Southern District of Mississippi, and hereby discloses the following information:

Defendants do not intend that this disclosure constitutes a waiver of any objection to producing documents on the basis of relevancy, confidentiality, privilege or on any other basis that would make a particular document non-discoverable under the Federal Rules of Civil Procedure and/or other applicable laws or rules of Court. Furthermore, this disclosure is not a waiver of objections to the admissibility of any documents on the basis of relevancy, confidentiality, privilege or on any other such basis that would make a



particular document inadmissible under the applicable Federal Rules of Evidence and/or other applicable laws or rules of Court.

This Voluntary Disclosure Statement shall consist of three separate parts. Part I. is the identification of all witnesses whom Defendants believe may have discoverable knowledge that Defendants may use to support their claims or defenses, with the exception of individuals that will be used solely for impeachment. Part II. is the identification, by category, of documents that these Defendants may use to support their claims or defenses, with the exception of documents that will be used solely for impeachment. To the extent documents are confidential and contain proprietary or privileged information, Defendants will not produce them for inspection or copying. See Part III.

I.

1. Name and, if known, the address and telephone number of each individual likely to have discoverable information relevant to Defendants' claims or defenses, with the exception of those used solely for impeachment:

- A. Sheriff George Payne, Jr.  
Former Harrison County Sheriff  
Harrison County Adult Detention Center  
10451 Larkin Smith Road, Gulfport, MS 39503  
Phone number: 228-865-7092  
**Subject Matter:** Sheriff Payne was the Sheriff of Harrison County at time of alleged events. Also Defendant
- B. Major Dianne Gaston-Riley  
Former Warden at the Harrison County Sheriff's Department  
**Subject Matter:** At the time of the events alleged in the Complaint, Major Riley was the Warden of the Harrison County Adult Detention Center Administrator. Also Defendant.
- C. Don Cabana  
Harrison County Sheriff's Department  
**Subject Matter:** Current Warden of the Harrison County Adult Detention Center Administrator.

- D. Healthcare Assurance Personnel  
**Subject Matter:** Healthcare contractor at Harrison County Adult Detention Center.
- E. Captain Steve Campbell  
Former Harrison County Sheriff's Department Director of Professional Standards  
Harrison County Adult Detention Center  
10451 Larkin Smith Road, Gulfport, MS 39503  
Phone number: 228-865-7092  
**Subject Matter:** Captain Campbell conducted an internal investigation regarding the events alleged in the Complaint. Also Defendant.
- F. Investigator Darwin McMahan  
Harrison County Sheriff's Office  
Harrison County Adult Detention Center  
10451 Larkin Smith Road, Gulfport, MS 39503  
Phone number: 228-865-7092  
**Subject Matter:** Former Investigator with Internal Affairs, Harrison County Sheriff's Department.
- G. Sheriff Melvin Brisolara  
Harrison County Sheriff's Office  
Harrison County Adult Detention Center  
10451 Larkin Smith Road, Gulfport, MS 39503.  
**Subject Matter:** Current Sheriff of Harrison County.
- H. Kenny Rogers  
Harrison County Adult Detention Center  
10451 Larkin Smith Road, Gulfport, MS 39503  
**Subject Matter:** Supervisor at Harrison County Adult Detention Center.
- I. Phil Taylor  
Harrison County Adult Detention Center  
10451 Larkin Smith Road, Gulfport, MS 39503.  
**Subject Matter:** Supervisor at Harrison County Adult Detention Center.
- J. Kevin Fayard  
Harrison County Adult Detention Center  
10451 Larkin Smith Road, Gulfport, MS 39503.  
**Subject Matter:** Current Captain of Internal Affairs, Harrison County Sheriff's Department.
- K. Steve Martin  
Department of Justice  
**Subject Matter:** Inspected the Harrison County Adult Detention Center pursuant to the Consent Decree.

- L. Ron Werby  
Harrison County Adult Detention Center  
10451 Larkin Smith Road, Gulfport, MS 39503  
**Subject Matter:** Former Investigator with Harrison County Sheriff's Department
- M. Captain Rick Gaston  
Former Supervisor of Booking, Harrison County Adult Detention Center  
**Subject Matter:** Defendant
- N. Ryan Teel  
Former Deputy, Harrison County Adult Detention Center  
**Subject Matter:** Defendant
- O. American Correctional Association employees  
206 N. Washington St. Suite 200  
Alexandria, VA 22314  
**Subject Matter:** Defendant
- P. Major Wayne Payne  
Former Director of Operations, Harrison County Sheriff's Department  
**Subject Matter:** Defendant
- Q. Larry Benefield  
Former Member of the Board of Supervisors  
1820 23<sup>rd</sup> Avenue  
Gulfport, MS 39501  
**Subject Matter:** Defendant
- R. Marlin Ladner  
Member of the Board of Supervisors  
1801 23<sup>rd</sup> Avenue  
Gulfport, MS 39501  
**Subject Matter:** Defendant
- S. Connie Rocko  
Member of the Board of Supervisors  
1801 23<sup>rd</sup> Avenue  
Gulfport, MS 39501  
**Subject Matter:** Defendant
- T. William Martin  
Member of the Board of Supervisors  
1801 23<sup>rd</sup> Avenue  
Gulfport, MS 39501  
**Subject Matter:** Defendant

- U. Bobby Eleuterius  
Former member of the Board of Supervisors  
1801 23<sup>rd</sup> Avenue  
Gulfport, MS 39501  
**Subject Matter:** Defendant
- V. J.L. White  
Employed by Health Assurance, LLC.  
**Subject Matter:** Defendant; Nurse who examined Plaintiff.
- W. Karl Stolze  
Former Sheriff's Deputy, Harrison County Sheriff's Department  
**Subject Matter:** Defendant
- X. William Priest  
Former Sheriff's Deputy, Harrison County Sheriff's Department  
**Subject Matter:** Defendant
- Y. Ronald A. Roe, Jr. #4776  
Pass Christian Police Department  
**Subject Matter:** Arresting Officer
- Z. J. McConnell #6962  
Pass Christian Police Department  
**Subject Matter:** Officer Assisting in Arrest
- AA. Leslie Mathis  
Harrison County Sheriff's Deputy, Harrison County Sheriff's Department  
**Subject Matter:** Officer who may have been on duty during the period Plaintiff was in the booking department at the Harrison County Adult Detention Center.
- BB. Justin Richards  
Harrison County Sheriff's Deputy, Harrison County Sheriff's Department  
**Subject Matter:** Officer who may have been on duty during the period the Plaintiff was in the booking department at the Harrison County Adult Detention Center
- CC. Sgt. Earl Leonard  
Harrison County Sheriff's Deputy, Harrison County Sheriff's Department  
**Subject Matter:** Sgt. Leonard received a call from dispatch regarding a complaint and subsequently spoke with Plaintiff regarding same.
- DD. Cindy Gillespie  
Harrison County Sheriff's Deputy, Harrison County Sheriff's Department  
**Subject Matter:** Dispatcher on duty

- EE. Twonia Williams  
Harrison County Sheriff's Deputy, Harrison County Sheriff's Department  
**Subject Matter:** Officer on duty who informed Sgt. Leonard to report to dispatch.
- FF. Beth Desper  
Harrison County Sheriff's Deputy, Harrison County Sheriff's Department  
**Subject Matter:** Officer performed search on Plaintiff who acquired Plaintiff's personal property when booked into Harrison County Adult Detention Center.
- GG. Karl Stolze  
Former Harrison County Deputy  
**Subject Matter:** Officer on duty at time Plaintiff was booked into Harrison County Adult Detention Center according to Post Assignment.
- HH. William Priest  
Former Harrison County Deputy  
**Subject Matter:** Officer on duty at time Plaintiff was booked into Harrison County Adult Detention Center according to Post Assignment
- II. Thomas Cummings  
Former Harrison County Deputy  
**Subject Matter:** Officer on duty at time Plaintiff was booked into Harrison County Adult Detention Center according to Post Assignment
- JJ. Any witness named by Plaintiff regarding any jail incident.
- KK. Any individuals who witnessed or were involved in any incident identified by Plaintiff.
- LL. All employees of Health Assurance who participated in or have knowledge of the incidents identified by Plaintiff.
- MM. Any and all individuals identified by any party as potential witnesses that may be called at trial in this cause.
- NN. Any and all individuals identified in any reports or narratives provided by any party.
- OO. Any expert witness identified by any party during discovery.
- PP. Any and all individuals who testified at the criminal trial of *United States v. Ryan Teel, et al.*, No. 1:06-cr-79.

QQ. Any other persons identified in other parties' initial disclosures.

II.

A copy of or description by category and location of all documents, data compilations and tangible things that are relevant to Defendant's claims or defenses, with the exception of documents that will be used solely for impeachment.

The following documents are disclosed:

1. Uniform Arrest/Booking Form - 6/17/06
2. Booking Report
3. Sheriff Custody - Personal - CJ 287022
4. Inmate Personal Property & Sheriff Custody - Property List - 6/17/06
5. Sheriff Custody - Event History - CJ 287022
6. Sheriff Custody - Medical Observation - CJ 287022
7. Health Assurance, LLC. - Nurse's Notes - 6/17/06
8. Sheriff's Office/Jail Receipt - 6/17/06
9. Inquiry
10. Booking Arrest
11. Booking History
12. Post Assignment - 6/17/06
13. Inmate Population Sheet - 6/17/06
14. Narrative - Sgt. Leonard - 6/17/06
15. Narrative - Sgt. Leonard - 6/18/06
16. Inmate Population Sheet - 6/17/06
17. Post Assignment 06/17/06 - 0700-1900

18. Post Assignment 06/17/06 - 1900-0700
19. Harrison County Adult Detention Center Policies and Procedures Directive, Use of Force
20. Harrison County Adult Detention Center Policies and Procedures Directive, Use of Restraints
21. Harrison County Adult Detention Center Policies and Procedures Directive, Health Care Services
22. Harrison County Adult Detention Center Policies and Procedures Directive, Chain of Command
23. Harrison County Adult Detention Center Policies and Procedures Directive, Booking and Receiving
24. Harrison County Adult Detention Center Policies and Procedures Directive, Classification
25. Harrison County Adult Detention Center Policies and Procedures Directive, Personal Property Inventory
26. Harrison County Adult Detention Center Policies and Procedures Directive, Security Supervision of Holding Cells
27. Harrison County Adult Detention Center Policies and Procedures Directive, Inmate Grievance
28. Harrison County Adult Detention Center Policies and Procedures Directive, Training for Correctional Officers
29. Harrison County Adult Detention Center Policies and Procedures Directive, Training Plans
30. Harrison County Sheriff's Department's General Order #1, Code of Ethics
31. Harrison County Sheriff's Department's General Order #2, Incident Data Collection - Basic Report Writing Rules
32. Harrison County Sheriff's Department's General Order #6, Performance Appraisal
33. Harrison County Sheriff's Department's General Order #10, Weapons and Use of Force



34. Harrison County Sheriff's Department's General Order #16, Arrest Procedures
35. Harrison County Sheriff's Department's General Order #17, Field Training Program
36. Harrison County Sheriff's Department's General Order #57, Employee Grievances
37. Harrison County Sheriff's Department's General Order #62, Employee Discipline
38. Harrison County Sheriff's Department's General Order #65, Professional Standards Unit
39. Harrison County Sheriff's Department's Policies and Procedures Directive, Telephone Usage
40. Training Records of Leslie Mathis
41. Training Records of Justin Richards
42. Training Records of Earl Leonard
43. Training Records of William Priest (will be supplemented)
44. Training Records of Beth Desper (will be supplemented)
45. Training Records of Karl Stolze
46. A copy of the insurance policy in effect at the time of the incident
47. Defendants reserve the right to produce additional officers' training records in the event it is discovered other additional officer were involved in the alleged incidents.

III.

PRIVILEGE LOG

A. All correspondence between counsel and Sheriff George Payne or any other employee or agent of the Harrison County Sheriff's Office are protected by the attorney-client privilege.

B. Investigative interviews and reports which were prepared or obtained by the Defendant or his representatives are protected by the attorney-client privilege and/or the work product doctrine as same were prepared in anticipation of litigation and/or as part of an internal or criminal investigation.

Defendant reserves the right to supplement and/or amend this Disclosure as the course of investigation and discovery progresses.

RESPECTFULLY SUBMITTED, this the 21st day of July, 2008.

**SHERIFF GEORGE PAYNE, JR., WAYNE  
PAYNE, DIANNE GASTON RILEY, AND STEVE  
CAMPBELL, OFFICIALLY AND IN THEIR  
INDIVIDUAL CAPACITIES,  
Defendants**

**BY: DUKES, DUKES, KEATING & FANECAL, P.A.**

BY: s/Cy Faneca  
CY FANECAL

Cy Faneca, MSB #5128

Joe C. Gewin, MSB #8851

Haley Broom MSB #101838

**DUKES, DUKES, KEATING AND FANCA, P.A.**

2909 13th St., Sixth Floor

Post Office Drawer W

Gulfport, MS 39502

Telephone: 228/868-1111

Facsimile: 228/863-2886

**CERTIFICATE OF SERVICE**

I, CY FANECA, do hereby certify that I have this day electronically filed the foregoing with the Clerk of the Court using the ECF system which sent notification of such filing to the following:

James Bailey Halliday  
P.O. Box 6783  
Gulfport, MS 39502

John A. Foxworth, Jr.  
Foxworth Law Office, LLC  
P.O. Box 2345  
Gulfport, MS 39505

Robert Harenski  
Robert G. Harenski and Associates  
1906 Pass Road  
Biloxi, MS 39531

Karen J. Young  
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P.O. Box 1076  
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James L. Davis  
Ian A. Brendel  
Jim Davis, PA.  
P.O. Box 1521  
Gulfport, MS 39502

Robert H. Pedersen  
Watkins & Eager  
P.O. Box 650  
Jackson, MS 392305

George D. Hembree, III  
McGlinchey Stafford  
P.O. Drawer 22949  
Jackson, MS 39225

This, the 21st day of July, 2008.

s/Cy Faneca  
CY FANECA

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

MARGUERITE CARRUBBA

PLAINTIFF

VERSUS

CAUSE NO.: 1:07cv1238-LG-RHW

HARRISON COUNTY, MISSISSIPPI, ET AL.

DEFENDANTS

**GEORGE PAYNE'S SECOND SUPPLEMENTAL RESPONSES TO PLAINTIFF'S  
REQUESTS FOR PRODUCTION OF DOCUMENTS**

COMES NOW Defendant George Payne, Jr , in his Official Capacity, by and through his attorneys, Dukes, Dukes, Keating & Faneca, P.A., pursuant to the Federal Rules of Civil Procedure, and produces this his First Supplemental Responses to Plaintiff's Requests for Production of Documents, as follows, to wit:

Defendant reserves his right to supplement these Responses as investigation and discovery continue.

**REQUEST NO. 2:** Produce a copy of any and all documents you may use as an exhibit at trial.

**RESPONSE:** See following List of documents/videos/tangible things. Items 1-47 were produced to Plaintiff in core discovery and Items 48-187 are attached herewith. Will provide pursuant to Federal Rules of Civil Procedure.

Items 1 - 47 were previously produced to Plaintiff in Defendant's Pre-Discovery Disclosure; therefore only items 48 - 187 will be produced herewith:

1. Uniform Arrest/Booking Form - 6/17/06
2. Booking Report

3. Sheriff Custody - Personal - CJ 287022
4. Inmate Personal Property & Sheriff Custody - Property List - 6/17/06
5. Sheriff Custody - Event History - CJ 287022
6. Sheriff Custody - Medical Observation - CJ 287022
7. Health Assurance, LLC. - Nurse's Notes - 6/17/06
8. Sheriff's Office/Jail Receipt - 6/17/06
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14. Narrative - Sgt. Leonard - 6/17/06
15. Narrative - Sgt. Leonard - 6/18/06
16. Inmate Population Sheet - 6/17/06
17. Post Assignment 06/17/06 - 0700-1900
18. Post Assignment 06/17/06 - 1900-0700
19. Harrison County Adult Detention Center Policies and Procedures Directive, Use of Force
20. Harrison County Adult Detention Center Policies and Procedures Directive, Use of Restraints
21. Harrison County Adult Detention Center Policies and Procedures Directive, Health Care Services
22. Harrison County Adult Detention Center Policies and Procedures Directive, Chain of Command
23. Harrison County Adult Detention Center Policies and Procedures Directive, Booking and Receiving
24. Harrison County Adult Detention Center Policies and Procedures Directive, Classification
25. Harrison County Adult Detention Center Policies and Procedures Directive, Personal Property Inventory
26. Harrison County Adult Detention Center Policies and Procedures Directive, Security Supervision of Holding Cells
27. Harrison County Adult Detention Center Policies and Procedures Directive, Inmate Grievance
28. Harrison County Adult Detention Center Policies and Procedures Directive, Training for Correctional Officers
29. Harrison County Adult Detention Center Policies and Procedures Directive, Training Plans
30. Harrison County Sheriff's Department's General Order #1, Code of Ethics
31. Harrison County Sheriff's Department's General Order #2, Incident Data Collection - Basic Report Writing Rules

32. Harrison County Sheriff's Department's General Order #6, Performance Appraisal
  33. Harrison County Sheriff's Department's General Order #10, Weapons and Use of Force
  34. Harrison County Sheriff's Department's General Order #16, Arrest Procedures
  35. Harrison County Sheriff's Department's General Order #17, Field Training Program
  36. Harrison County Sheriff's Department's General Order #57, Employee Grievances
  37. Harrison County Sheriff's Department's General Order #62, Employee Discipline
  38. Harrison County Sheriff's Department's General Order #65, Professional Standards Unit
  39. Harrison County Sheriff's Department's Policies and Procedures Directive, Telephone Usage
  40. Training Records of Leslie Mathis
  41. Training Records of Justin Richards
  42. Training Records of Earl Leonard
  43. Training Records of William Priest (will be supplemented)
  44. Training Records of Beth Desper (will be supplemented)
  45. Training Records of Karl Stolze
  46. A copy of the insurance policy in effect at the time of the incident
  47. Defendants reserve the right to produce additional officers' training records in the event it is discovered other additional officer were involved in the alleged incidents.
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48. HCADC Policies and Procedures Directive, Inmate Grievance.
49. HCADC Policies and Procedures Directive, Monthly Statistical Reporting.
50. HCADC Policies and Procedures Directive, Facility Goals.
51. HCADC Policies and Procedures Directive, Security Promotions.
52. HCADC Policies and Procedures Directive, Personnel Selection and Retention.
54. ACA Accreditation report August 2005.
55. ACA Visiting Committee Reports.
56. ACA Contract.
57. ACA 2002 Accreditation Contract.
58. ACA 2002 Standards Compliance Audit.
59. ACA January 11, 2003, Commission on Accreditation for Corrections Panel Action Report.
60. ACA 2005 Accreditation Contract.
61. ACA 2005 Standards Compliance Audit.

62. ACA August 6, 2005, Commission on Accreditation for Corrections Panel Action Report.
63. ACA Performance Based Standards for Adult Local Detention Center.
64. Harrison County Grand Jury members of March, 2000, report dated September 6, 2000.
65. Harrison County Grand Jury members of September, 2000, report dated March 6, 2001.
66. Harrison County Grand Jury members of March, 2001, report dated September 7, 2001.
67. Harrison County Grand Jury members of September, 2001, report dated March 5, 2002.
68. Harrison County Grand Jury members of March, 2002, report dated September, 2002.
69. Harrison County Grand Jury members of September, 2002, report dated March, 2003.
70. Harrison County Grand Jury members of March, 2003, report dated September 2, 2003.
71. Harrison County Grand Jury members of September, 2003, report dated March 4, 2004.
72. Harrison County Grand Jury members of March, 2004, report dated September 13, 2004.
73. Harrison County Grand Jury members of September, 2004, report dated March 11, 2005.
74. Harrison County Grand Jury members of March, 2005, report dated November 15, 2005.
75. Harrison County Grand Jury members of November, 2005, report dated March 6, 2006.
76. Steve Martin's Reports dated, March 4, 1997, October 30, 1997, July 17, 1998, July 25, 2000, April 20, 2001, and February 20, 2002.
77. Letter to Steve Martin from Capt. Phil Taylor, May 24, 2006
78. United States Department of Justice, Housing of Federal Prisoners Agreement; effective date December 1, 1981.
79. United States Department of Justice, Housing of Federal Prisoners; Modification One of Agreement; effective date June 1, 1986.
80. United States Department of Justice, Housing of Federal Prisoners; Modification Two of Agreement; effective date January 1, 1987.
81. United States Department of Justice, Housing of Federal Prisoners; Modification Three of Agreement, effective date November 1, 1990.
82. IA Report; IA2002-81
83. IA Report; IA2003-05
84. IA Report; IA2003-06
85. IA Report; IA2003-08



86. IA Report; IA2003-11
87. IA Report; IA2003-14
88. IA Report; IA 2003-15
89. IA Report; IA2003-19
90. IA Report; IA2003-21
91. IA Report; IA2003-22
92. IA Report; IA2003-24
93. IA Report; IA2003-29
94. IA Report; IA October 23, 2003
95. IA Report; IA2003-340
96. IA Report; IA2003-44
97. IA Report; IA2004-01
98. IA Report; IA2004-02
99. IA Report; IA 2004-03
100. IA Report; IA2004-04
101. IA Report; IA2004-08
102. IA Report; IA2004-09
103. IA Report; IA2004-13
104. IA Report; IA2004-18
105. IA Report; IA2004-19
106. IA Report; IA2004-20
107. IA Report; IA2004-22
108. IA Report; IA2004-27
109. IA Report; IA2004-29
110. Letter of Disciplinary Action of Martin Lipscomb, January 31, 2005
111. Letter of Disciplinary Action of Michael Minor, January 31, 2005
112. Letter of Disciplinary Action of Jerred Necaise, January 31, 2005
113. Letter of Disciplinary Action of Justin Branning, January 31, 2005
114. Letter of Written Reprimand Jeffrey Brawner, January 31, 2005
115. IA Report; IA2004-30
116. IA Report; IA2005-03
117. IA Report, IA2005-05
118. IA Report, IA2005-06
119. IA Report, IA2005-07
120. Letter of Disciplinary Action of Daniel Evans, May 6, 2005
121. Investigative Interview of Smoky Joe Wilson, April 8, 2005
122. IA Report, IA2005-10
123. IA Report, IA2005-14
124. IA Report, IA2005-16
125. IA Report, IA2005-18
126. IA Report, IA2005-25
127. IA Report, IA2005-34

128. Notice of Hearing of Dedri Caldwell, August 16, 2005
129. Letter of Disciplinary Action for Dedri Caldwell, August 18, 2005
130. Administrative Leave Letter for Dedri Caldwell, December 12, 2005
131. Letter of Disciplinary Action for Dedri Caldwell, December 21, 2005
132. Written Reprimand to Justin Richards, January 11, 2006
133. Written Reprimand to Dereck Blankinchip, January 11, 2006
134. Notice of Hearing to Kenneth Roberson, January 3, 2006
135. Written Reprimand to Kenneth Roberson, January 11, 2006
136. Written Reprimand to Morgan Thompson, January 11, 2006
137. Notice of Hearing to James Nicholson, January 6, 2006
138. Termination Notice to James Nicholson, January 13, 2006
139. Written Reprimand to Ben Lamey, January 11, 2006
140. IA Report, IA2006-02A
141. IA Report, IA2006-04
142. Notice of Hearing to Dereck Blankinchip, January 30, 2006
143. Letter of Disciplinary Action to Dereck Blankinchip, February 8, 2006
144. Notice of Hearing to Eddie Collins, January 23, 2006
145. Letter of Disciplinary Action to Eddie Collins, January 26, 2006
146. IA Report, IA2006-05
147. Notice of Hearing to Daniel Evans, March 29, 2006
148. Letter of Disciplinary Action to Daniel Evans, April 4, 2006
149. Letter of Disciplinary Action to Karl Stolze, April 4, 2006
150. Officer Resignation Report for Karl Stolze, October 2, 2006
151. IA Report, IA2006-06
152. IA Report, investigation of complaint by Gretchen Bravo, March 29, 2006
153. IA Report, IA2006-16, April 27, 2006
154. IA Report, IA2006-21, May 22, 2006
155. Letter of Reprimand to Damon Reese, November 6, 2000
156. Letter of Reprimand to James Harrier, December 19, 2000
157. Letter of Reprimand to Richard Francabandera, August 12, 2003
158. Notice of Hearing to John Geas, August 28, 2003
159. Informational Report regarding John Geas, August 29, 2003
160. Resignation Acknowledgment to Jay S. Cox, January 5, 2005
161. Letter of Disciplinary Action to Lee Jackson, March 16, 2005
162. Notice of Hearing to Jerred Necaise, May 5, 2005
163. Resignation acknowledgment of resignation of Jerred Necaise, May 9, 2005
164. Office Termination Report for Regina Rhodes, April 17, 2006
165. Notice of Administrative Leave to Ruben Perez, May 24, 2006
166. Letter of Resignation from Ruben Perez, May, 2006
167. Letter of Disciplinary Action to William Priest, January 19, 2007
168. Gulfport Police Dept. Narrative Report regarding Marquerite Carrubba by Officer Roe, June 17, 2006

169. HCADC Inmate Jacket of Jill Patrice Dickey.
170. HCADC Inmate Jacket of Gary Brice McBay.
171. HCADC Inmate Jacket of Abra Horn
172. Narrative Form, Inmate John Wood, November 21, 2005.
173. Use of Force Report, John Wood, November 21, 2005.
174. Supervisory Taser Use Report, November 21, 2005.
175. Harrison County Sheriff's Department Count Sheet- 2003
176. Harrison County Sheriff's Dept. Classification Block Accountability-2004
177. Harrison County Sheriff's Dept. Classification Block Accountability-2005
178. Harrison County Sheriff's Dept. Classification Block Accountability-Jan. 2006
179. HCADC - Booked In/Released Inmates Chart; 2000 - 2006, and all supporting documents.
180. HCADC - Grievances Filed Chart; 2000 - 2006, and all supporting documents.
181. HCADC- Grievances Filed Chart regarding officer misconduct; 2000-2006 and all supporting documents.
182. HCADC - Programs/Services Count; 2000 - 2006, and supporting documents.
183. Monthly Statistical Reports, 2000 - 2006.
184. Inter Office Memo from Capt. Taylor - Inmate Grievance Report dated August 22, 2000.
185. Inter Office Memo from Capt. Rick Gaston- Handling of Inmates dated April 12, 2005.
186. Jail Meeting April 20, 2005- Roster and Memorandum of Understanding.
187. Gulfport Motor Vehicle Accident Report, June 17, 2006.

**FIRST SUPPLEMENTAL RESPONSE:** See following List of documents/videos/tangible things. Items previously produced have been marked and items not previously produced are attached herewith.

1. Memorial Hospital at Gulfport medical records of Plaintiff. (Previously Produced).
2. Open MRI, LLC medical records of Plaintiff. (Previously Produced).
3. Advanced Orthopedics, PLLC medical records of Plaintiff.
4. Eric Graham, M.D. medical records of Plaintiff. (Previously Produced).
5. Beatline Internal Medicine medical records of Plaintiff. (Previously Produced).
6. Gulf Coast Menatl Health medical records of Plaintiff. (Previously Produced).
7. Compass Imaging LLC medical records of Plaintiff.
8. Booking Videos:
  - a. Start 11-06-05 14:35 - Stop 11-07-05 11:05. McBay(Previously Produced)
  - b. Start 11-06-05 . McBay (Previously Produced)
  - c. Start 11-05-05 14:08 - Stop 11-06-05 14:36.

- d. Start 11-05-05 14:08 - Stop 11-06-05 14:35.
- e. Start 11-06-05 14:35 - Stop 11-07-05.
- f. Start 11-07-05 11:05 - 11-08-05 09:35.
- g. Start 05-26-05 - Stop 05-7-05. Vanderburg (Previously Produced)
- h. Start 09-10-05 07:16 - Stop 10/11/05 12:00.
- I Start 06-11-06 18:20 - Stop 06-19-06 07:20. Carrubba
- j. Start 06-16-06 17:15 - 06-17-06 18:21. Carrubba

**SECOND SUPPLEMENTAL RESPONSE:** See following list of documents/videos/tangible things, produced herewith.

- 1. Documents related to victim referenced in Plaintiff's Pre-Discovery Disclosure.
  - a. William David Seal all documents previously produced to counsel in civil action No. 1:08cv175LG-RHW
  - b. John Aaron Vanderburg all documents previously produced to counsel in civil action No. 1:08cv0090LG-RHW.
  - c. Gary Brice McBay all documents previously produced to counsel in civil action No. 1:07cv1205LG-RHW.
  - d. Margueritte Carrubba all documents previously produced to counsel in civil action No. 1:07cv1237LG-RHW.
  - e. Only Al-Khidhr, all documents previously produced to counsel in civil action No. 1:07cv1223LG-RHW.
  - f. IA Report - IA 2006-005.
- 2. Inter Office Memos:
  - a. Memo to all booking personnel from Captain Rick Gaston dated April 12, 2005, Regarding search of a person.
  - b. Memo to all booking personnel from Captain Rick Gaston dated April 12, 2005, regarding Handling of Inmates.
  - c. Memo to all booking personnel from Captain Rick Gaston dated April 12, 2005, regarding HCADC Security Cameras.

RESPECTFULLY SUBMITTED, this the 5<sup>th</sup> day of October, 2009.

**GEORGE PAYNE, JR., DEFENDANT**

BY: DUKES, DUKES, KEATING & FANCA, P.A.

BY: Cy Fanca *HS*  
CY FANCA

**CERTIFICATE OF SERVICE**

I, CY FANCA, do hereby certify that I have this day sent via U.S. Mail a true and correct copy of the foregoing to the following:

Counsel for Plaintiff:

Robert G. Harenski  
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This, the 5<sup>th</sup> day of October, 2009.

Cy Fanea  
CY FANCA